

The ENDA Game

The rush to exclude transpeople – and a heartening resistance

In a move last week that shocked many LGBT activists, House Speaker Nancy Pelosi and Rep. Barney Frank decided that they know what the LGBT (Lesbian, Gay, Bisexual, and Transgender) community needs better than the LGBT community does. On Thursday, Sept. 27, they launched what some are calling the year's largest assault on transgender and gender variant rights by removing gender identity and expression from the Employment Non-Discrimination Act (ENDA). Such exclusion is something that every major LGBT organization has pledged to oppose. Pelosi then scheduled the new bill for a vote just five days later so that they could lock in the changes they had made.



Both Pelosi and Frank insist that what they are doing is for the LGBT community's own good, despite a unified protest letter signed by 300 LGBT organizations as well as protests held outside each of their home district offices.

The rationale behind this move was based in a hope that it would be easier to pass the bill if it lacked these essential protections, but analysis of the weakened bill showed that it would not even adequately protect gays and lesbians from discrimination. Kevin Cathcart, executive director at Lambda Legal, said, "You can't be fired for being a lesbian or a gay man, but you can be fired if your boss thinks you fit their stereotype of one." This led to the new bill being dubbed the "Straight-acting-ENDA."

Additionally, while passage of ENDA may be likely in the House, the Senate has yet to introduce the bill, and President Bush is considered likely to veto it. This has led many to question why Pelosi and Frank were in such a rush to shove through a bill no matter what the costs. Carolyn Lochhead of the *San Francisco Chronicle* pointed out that Pelosi was scheduled to be honored at the Human Rights Campaign (HRC) annual dinner on Oct. 6. She suggests that Pelosi was working to deliver ENDA by the event. Regardless of Pelosi's motivation, she was forced to respond to the overwhelming pressure coming in.

Late in the evening of Oct. 1, news was being spread that Pelosi and Frank had given into some of the demands of the larger LGBT community and were postponing the vote. This was to give time for discussion with representatives to shore up the five votes that were supposedly lacking in order to pass the full version of ENDA. LGBT organizations now have the upcoming weeks to convince House members of the necessity of providing employment protections for those who are transgender, gender variant or nonconforming LGB as well as LGB people who are read as "normal."

Pelosi and Frank have pledged, however, that if there does not seem to be the support for the full version, they will move forward with the ineffective and divisive version of ENDA. Major LGBT organizations such as the National Gay and Lesbian Task Force continue to insist that passage of the ineffective bill would not be a step forward but would instead set the LGBT community backward several years.

There is only one notable LGBT organization missing from this coalition: the HRC. In fact, the organization that calls itself the largest LGBT rights lobby has been surprisingly quiet. They are the one organization that has refused to make good on their pledge to oppose a version of ENDA that leaves large parts of the LGBT community behind.

After several days of silence, the HRC clarified their refusal to join the 300 organizations opposing the new version of ENDA. They chose to walk a fine line of neither opposing nor supporting the move. Even though they are not opposing legislators' attempts to pass an ineffective ENDA, they are using their significant lobbying power to encourage legislators to support an inclusive ENDA.

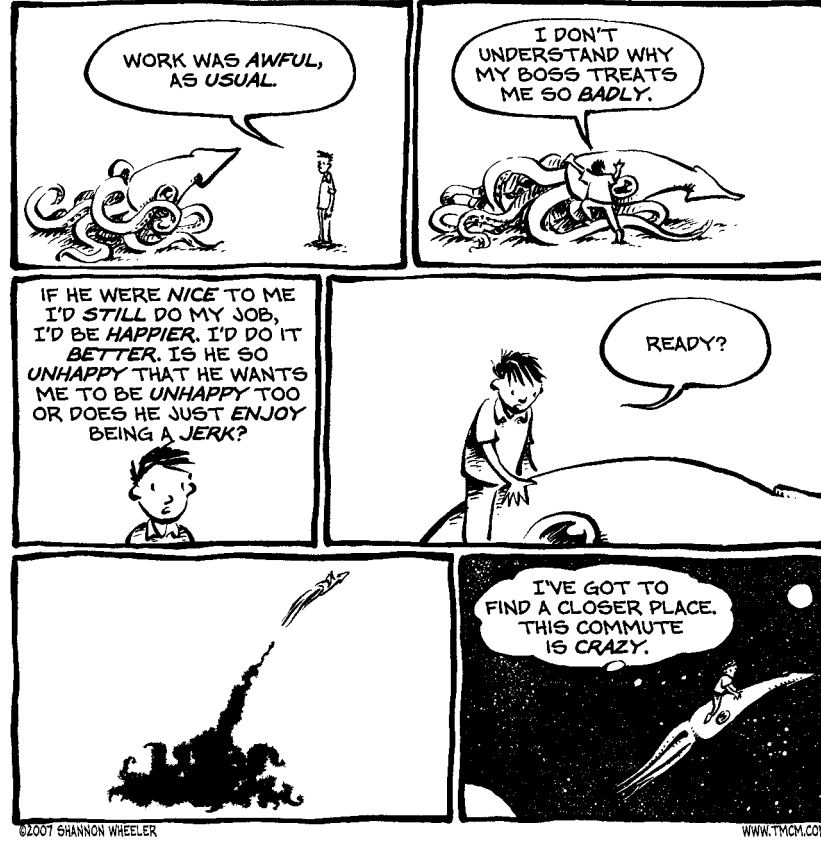
Even Pelosi is backpedaling. Despite her refusal to take the ineffective ENDA off the table, she was very clear about her support for transpeople at the HRC dinner, stating, "I strongly believe that transgender individuals deserve the same rights and the same protections as any other Americans and will work to see that ENDA also protects their rights."

One thing remains clear: This backroom dealing has galvanized LGBT grassroots organizing. Pelosi and Frank were caught off-guard by the groundswell of support for including trans and gender variant people. Indeed, the number of individuals and organizations working together for trans inclusion is stunning and represents a shift that has been slowly happening over the past decade.

With such a broad coalition of grassroots organizing comes a diversity of strategy as well. As people are contacting everyone they know to call or email their legislators, Pelosi's appearance at the HRC dinner was protested by more than 100 people. No matter what strategy you prefer, it's clear that the LGBT community will not tolerate any segment of the community being left behind. That kind of unity is encouraging.

Tobi Hill-Meyer is a local trans writer and activist. She is also a board member for COLAGE, a national organization serving people with one or more LGBT parents.

How to Be Happy (5 OF 8) by Shannon Wheeler



LETTERS TO THE EDITOR

LET'S JUST GET ALONG

Regarding the cover story of your Sept. 27 issue pitting loggers vs. recreationists, my question as a reader is, why can't we all coexist on public lands? Why can't we have multiple use of lands for recreation, for harvesting of a renewable resource and for tax bases and revenues for public services? Why does it have to be an either/or situation as your article suggests?

The reality is that people who work in the timber industry also recreate on Oregon rivers — as well as work on Oregon public lands. It is not fair for recreationists to force those Oregonians who make their living using a renewable resource like timber off public lands. And yet this is what the rafters, recreationists and fishing special interest groups in your article suggest. They suggest that the land should only be available for recreation.

We have already set aside many wild areas in Oregon that are protected as wilderness areas, many of which are in the Rogue River Wilderness Area. The question is how much of our tax base can we continue to set aside for non-multiple use while our communities suffer the loss of timber receipts for local economies and public services. It is very shortsighted of those in the recreational industry to be so selfish as to expect other Oregonians to suffer so only they can have access to recreate on public lands.

Suzanne L. Penegor
Eugene

HONOR THE DESIGNERS

Let's not forget those theater artists whose work enhances (hopefully!) the more palpable work of the actors and playwrights, namely designers! Having just made this request in public to longtime *Register-Guard* theater critic Dorothy Velasco, it is fair to also make the request to the *Weekly's* Suzi Steffen.

I appreciate Steffen's thoughtful critiques. We're lucky to have such an articulate (though sometimes unconventional) writer engaging in a candid public dialogue about

live theater. And it may seem petty to take issue with Steffen's Oct. 4 review of *The Pillowman*, which begins and ends by commanding readers to "go see this play." But she could go beyond recognizing a "set that combines simplicity and flexibility along with a sound design that perfectly fits the play" and name the artists responsible for these important production elements — Amy Dunn and Daniel Thomas. Their work, along with the work of lighting designer Janet Rose and costume designer Sarah Gahagan, is an important part of why audiences should go see this play.

Given space limitations, it is unreasonable to ask that all contributing artists receive recognition in each review. And, thankfully, Steffen usually foregoes extensive discussion of plot in order to save space for thoughtful and revealing analysis of the text and the production. But critics and audiences as well as playwrights, actors and directors need to remember that many unseen hands go into making good theater captivating.

Craig Willis
Artistic Director
Lord Leebrick Theatre Company

TIME FOR CHANGE

I am discouraged by the *EW* campaign to stop major improvements in the downtown area. A great city deserves a thriving downtown. A good mix of people, residences and businesses can accomplish this. As it is, I know of no one in the greater Eugene area who darkens the doors of the businesses downtown. That is except for their teenagers, who are attracted by the drug scene on West Broadway.

I like the convenience of living downtown, but I don't like having to drive or bus elsewhere for major supplies. We have a chance now to change the city center to a place that will attract both tourists, local residents and yes, businesses, which will provide jobs and benefits.

Kess Hottle
Eugene